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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/656,519 | 09/05/2003 | Ray Johnson | 3SI-139US | 8040 |
| 31344 | 7590 | 10/18/2005 | EXAMINER | |
| RATNERPRESTIA P.O. BOX 1596 WILMINGTON, DE 19899 | | | | NGUYEN, PHUNG |
| ART UNIT | | PAPER NUMBER | | |
| | | 2632 | | |

DATE MAILED: 10/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|-----------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/656,519 | JOHNSON ET AL. | |
| | Examiner Phung T. Nguyen | Art Unit 2632 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 05 May 2005.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-4 and 9-14 is/are rejected.
- 7) Claim(s) 5-8 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some *
 - c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

| | |
|---|--|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____. | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4, and 9-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lisowski (U.S. Pat. 6,552,660) in view of Williams et al. (US 2003/0184438).

2. **Regarding claim 1:** Lisowski discloses flexible smoke generator comprising an alarm device and an electronic activation circuit for said alarm device in a packet resembling a currency pack, wherein said wake up circuit comprises a reed switch to switch the electronic alarm activation circuit from a first, dormant state to a second, active state (fig. 3, col. 1, lines 58-61, and col. 5, lines 1-14). Lisowski does not teach a flexure sensor as claimed. However, Williams et al. disclose sensor systems comprising the flexure sensor that generates an output signal when it is subject to change in its physical conditions (e.g. bending or deformation of the area surrounding the sensor), see paragraph 0005, 0009, and 0044. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ the teaching of Williams et al. in the system of Lisowski because they both teach a sensor system for security purpose. It is seen that using the flexure sensor would provide a more accurate sensing system.

Regarding claim 2: Lisowski inherently discloses wherein said electronic activation circuit comprises a microprocessor, wherein said flexure sensor is connected to said

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microprocessor and wherein an output signal from said sensor received by said microprocessor switches the electronic alarm activation circuit from said first, dormant state to said second, active state (col. 4, lines 55-66).

Regarding claim 3: Lisowski and Williams et al. disclose wherein the security pack is a flexible pack and the sensor generates an output signal when the pack is flexed as discussed in respect to claim 1 above.

Regarding claim 4: Lisowski discloses wherein said security pack includes a power source and wherein said sensor comprises a switch connected between said power source and said electronic alarm activation circuit (col. 5, lines 1-7).

Regarding claim 9: Williams et al. disclose wherein said sensor comprises a flexure sensing transducer and wherein said transducer is a piezoelectric transducer (paragraph 0022).

Regarding claim 10: Williams et al. inherently disclose wherein said sensor comprises a flexure sensing transducer and wherein said transducer is a variable resistive element (paragraph 0009).

Regarding claim 11: Williams et al. disclose wherein said sensor comprises a flexure sensing transducer and wherein said transducer is a capacitive element (paragraph 0009).

Regarding claim 12: All the claimed subject matter is already discussed in respect to claims 1 and 3 above.

Regarding claim 13: Refer to claim 12 above.

Regarding claim 14: Lisowski discloses wherein said step of applying said signal to switch said electronic activation circuit to said active state further comprises connecting an output of a power source to an input of said electronic activation circuit (col. 2, lines 8-11).

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Allowable Subject Matter

3. Claims 5-8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phung T Nguyen whose telephone number is 571-272-2968. The examiner can normally be reached on 8:00am-5:30pm Mon thru. Friday, with alternate Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Wu can be reached on 571-272-2964. The fax numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-308-9051 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

Phung Nguyen



Date: October 03, 2005

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